

**Loan Recipient's Requirements for Solicitation and Documentation**  
**of**  
**Minority and Women's Business Enterprises**  
**Participation on State Revolving Fund (SRF) Loan-Funded Projects**

A goal-oriented system has been established to promote minority and women's business enterprise (MBE/WBE) participation by providing construction services, professional services, supplies, and/or equipment on SRF Loan-funded water and wastewater projects. It is the Loan Recipient's responsibility to ensure that Bidders make a good faith effort during the bidding phase to solicit for sub-contractor participation by MBE/WBE subcontractors, service professionals, suppliers, and/or equipment vendors on all SRF-funded projects.

**DEFINITIONS**

**Minority Business Enterprise (MBE):** A qualified socially and economically disadvantaged minority-owned business certified by any State or Federal agency, such as the Tennessee Department of Transportation, U.S. EPA's Office of Small and Disadvantaged Business Utilization, or the U.S. Small Business Administration.

**Women's Business Enterprise (WBE):** A qualified independent business at least 51% owned by a woman or women and certified by any State or Federal agency such as the Tennessee Department of Transportation, U.S. EPA's Office of Small and Disadvantaged Business Utilization, or the U.S. Small Business Administration.

**Fair-Share Goals:** The MBE fair-share goal is 2.6% for construction and 6.6% for supplies, services, and equipment. The WBE fair share goal is 2.6% for construction and 3.9% for supplies, services, and equipment.

**INSTRUCTIONS TO LOAN RECIPIENTS**

**Pre-Bid Requirements**

Loan Recipients must include the SRF Loan Program's "Bidder's Requirements for Solicitation and Documentation Of Minority and Women's Business Enterprises Participation on SRF-Funded Projects" information sheet in the Information for Bidders section of bid documents. Loan Recipients must also ensure that Bidders take the following affirmative steps that constitute a good-faith effort to secure MBE/WBE participation:

- Include qualified minority and women's businesses on solicitation lists whenever they are potential sources,
- Divide construction contracts into subcontracts, when economically feasible, to encourage maximum participation by minority and women's businesses,
- Establish delivery schedules, where requirements of the work permit, that encourage participation by minority and women's businesses,
- Use the services and assistance of the Office of Minority Business Enterprises of the U.S. Department of Commerce, or the U.S. EPA's Office of Small and Disadvantaged Business Utilization. For assistance or information, Bidders may be referred to:

Tennessee Department of Transportation  
Small Business Development  
505 Deaderick Street, Suite 1800  
Nashville, TN 37243-0347  
(615) 741-3681  
[http://www.tdot.state.tn.us/construction/DBE%20list/dbe\\_list.pdf](http://www.tdot.state.tn.us/construction/DBE%20list/dbe_list.pdf)

Mr. Phillip D. Mahoney, District Director  
U.S. Small Business Administration  
50 Vantage Way, Suite 201  
Nashville, TN 37228  
(615) 736-5881  
<http://pro-net.sba.gov/>

Ms. Jeanette L. Brown, Director  
U.S. Environmental Protection Agency  
Office of Small and Disadvantaged Business Utilization  
1200 Pennsylvania Avenue, N.W. (1230A)  
Washington, D.C. 20460  
(202) 564-4100  
<http://www.epa.gov/osdbu/>

## **POST-BID REQUIREMENTS**

Loan Recipient's must complete a Certification and Summary of MBE/WBE Participation Form for each construction contract and forward it and supporting documentation to the Administrative Section of the SRF Loan Program before award of any construction contract(s). The Certification and Summary of MBE/WBE Participation Form must clearly indicate whether MBE/WBE subcontractor, professional service provider, supplier, and/or equipment vendor participation was secured, identify the MBE/WBE firms to be used, and certify that the MBE/WBE firms are qualified. The Loan Recipient must submit an appropriately completed Certification and Summary of MBE/WBE Participation Form even if the selected Bidder was unable to secure MBE/WBE participation. Loan Recipient's must also prepare and submit a separate letter documenting that a good-faith effort was made to secure MBE/WBE participation through newspaper advertisement and certified letters mailed to a minimum of 10 qualified MBE/WBE potential subcontractors, professional service providers, suppliers, and/or equipment vendors. The completed Certification and Summary of MBE/WBE Participation Form, copies of the certified letters and the corresponding return mail receipts, and the letter documenting the good-faith effort to secure MBE/WBE participation must be returned to Dr. Bagher Sami of the SRF Loan Program prior to award of any construction contract(s). This documentation is the only form of documentation that will be accepted by the SRF Loan Program. Failure to provide the required documentation may result in the SRF Loan Program delaying the Loan Recipient's award of construction contracts.

The Loan Recipient should direct all inquiries regarding the SRF Loan Program's requirements for MBE/WBE solicitation and documentation to:

Dr. Bagher Sami, Loan Administrator  
State Revolving Fund Loan Program  
Tennessee Department of Environment and Conservation  
Life & Casualty Tower, 8th Floor  
Nashville, TN 37243-1533

or contact him by telephone at (615) 532-0445 or by e-mail at [bagher.sami@state.tn.us](mailto:bagher.sami@state.tn.us)